

To:

FCC Commissioners

From:

Brian Law
2331 West Street
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Re: **EB Docket No. 04-296.**

The proposed rules changes for EAS are needed and will hopefully bring about change in the Emergency Alert System. I think this is recognized by most in the broadcast industry as well as many in related industries and fields.

I do think, however, that the short time frame for compliance and the lack of trained personnel in the broadcast industry as a whole need to be looked at before this becomes into law.

First, although it is true that many EAS participants are aware of the coming changes, many are not. I have spoken to FM radio station owners and even an EAS equipment manufacturer recently that were both unaware of the changes being considered and the time frame allowed for compliance after FEMA approves whatever protocols will be used in the next generation EAS. Another manufacturer I spoke with said they couldn't do anything at all until FEMA publishes the new protocols and so the broadcast industry will have to wait until the manufacturers can implement the new standards. This means that broadcasters will not have 180 days, but will instead have something less than that to comply, since they will have to wait for the manufacturers to develop the needed equipment and/or software to provide to their customers. I am sure, the manufacturers are on their feet, ready to go the moment FEMA publishes, but one can only hope that someone will have something ready well before the deadline approaches for broadcasters. This also allows for potential abuse as manufacturers of EAS equipment race for compliance. I suppose the quickest will offer equipment at a substantial price hike over latecomers.

I have also seen a distressing lack of technical expertise in the broadcast industry among radio stations and government agencies having EAS equipment but understanding little or nothing about how EAS works, what the parts of an EAS message are, or even monitoring their own logs to discover if anything is amiss. It would not be alarming except that these lapses are occurring at the LP-1 level. More disturbing is that some LP-1's are government agencies that the FCC has no jurisdiction over and so do have the same motivation to make sure their systems are functioning correctly. These entities do not receive fines if they are out of compliance. Although I am quite sure these LP-1's and government run LP-1's are quite serious about public safety and actually do care about EAS, many times they lack training for their equipment and many times do not understand how EAS works and what their specific responsibilities are. When a small broadcaster has to deal with these large entities, it is typical for the LP-1 to accuse the smaller broadcaster of not having good equipment or not know what they are doing or not needing to be compliant. I have experienced this attitude from these LP-1's myself, many times. At the same time it has also come to my attention that there are some out there who do not even care about a forfeiture from the FCC, they just pay up and continue

the way they were. I believe that every LP-1 in the country should be held to more stringent standards including personnel training and making sure they hold up their end of the rope, maybe with different reporting requirements.. I know that many LP-1's are not like this, but unfortunately many are.

Sincerely,

Brian Law